

**THE COMMITTEE ON PUBLIC SAFETY AND NEIGHBORHOOD SERVICES  
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR  
WEDNESDAY, APRIL 14, 2004, AT 2:00 P.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR), CITY ADMINISTRATION  
BUILDING  
202 C STREET, SAN DIEGO, CALIFORNIA**

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**COUNCIL COMMENT**

ACTION: None received.

**NON-AGENDA PUBLIC COMMENT.** Juan Smith, 4330 Boston Avenue, San Diego, regarding a tobacco retail ordinance.

**NON-AGENDA PUBLIC COMMENT.** Cleo Malone, Ph.D., 1212 South 43rd Street, San Diego, regarding taking action relative to a proposed tobacco ordinance.

**NON-AGENDA PUBLIC COMMENT.** Barbara J. Winton, 340 16th Street #200, San Diego 92101-7606, regarding lighting, parking lots, and homeless mitigation.

ITEM-1: Report from the City Manager regarding ALCOHOL BEVERAGE LICENSES.

(See CMR 04-074)

ACTION: Motion by Councilmember Frye, second by Councilmember Zucchet to accept the City Manager's report and direct the City Manager and City Attorney to return to the Public Safety and Neighborhood Services Committee within 60 days, or as soon as possible, with an ordinance for Committee consideration to provide that on-sale business applications, either transfer or new, be allowed pursuant to a Conditional Use Permit (CUP) with criteria regarding whether the:  
a) crime rate of the area exceeds the Citywide average general crime rate; and

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b) ratio of alcoholic beverage outlets is excessive. Seek requirements for on-sale businesses similar to those for off-sale businesses as addressed in Section 141.0502 of the San Diego Municipal Code.

Additionally, the City Manager and Police Department should work with Kevin Haulk regarding his proposed Deemed Approved Ordinance and provide a recommendation about whether the Deemed Approved Ordinance is beneficial, will it help the City, is it cost effective and reasonable to implement, and what would be the associated fees.

Staff was directed to add notification to community planning groups of an application having been filed.

VOTE: 5-0; Maienschein-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Frye-yea

ITEM-2: REQUEST TO HEAR AN APPEAL relative to hearing officer's decision to revoke the Massage Technician Permit of Anja Lee (Permit No. 16467).

(See John Rivera's April 2 and January 5, 2004, letters; Request for Extension of Time; City Clerk's December 16, 2003, memo)

ACTION: Motion by Deputy Mayor Atkins, second by Councilmember Zucchet to grant the request to hear the appeal and set a hearing date.

VOTE: 4-1; Maienschein-nay, Zucchet-yea, Atkins-yea, Lewis-yea, Frye-yea

Brian Maienschein  
Chair